

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

IN RE:

GIUSEPPE B. PALIOTTA  
Debtor

Case No.: 08-10505  
Chapter 13

**CONSENT ORDER**

GRP Loan, LLC (together with its predecessors, successors, affiliates, principals, and assigns, “Movant”) filed a Motion for Relief from Automatic Stay (the “Motion”) with respect to certain real property located at 105 Princess Avenue, Cranston, Rhode Island (the “Property”); and

Whereas, by agreement and consent of Movant and the Debtor, by and through their undersigned counsel, it is hereby

**ORDERED, ADJUDGED AND DECREED**

1. that as of July 30, 2008, there is a post-petition arrearage of \$5,732.41, which includes post-petition attorneys’ fees, costs, and expenses in connection with the Motion for Relief from Stay of \$1,050.00 (“the Arrearage”);

2. that the Motion is granted;

3. that during the pendency of this bankruptcy case, Movant shall forbear from exercising its right and remedies under the Loan Documents (as defined in the Motion) and/or under applicable law so long as the Debtor:

a. pays to Movant the sum of \$1,146.49 on or before the 15th day of each month thereafter for a period of six (6) months, commencing September 15, 2008. **Said payments are in addition to the regular monthly payment due under the terms of the Loan Documents;**

- b. continue timely to pay to Movant all ongoing, regular monthly payments pursuant to the Loan Documents, commencing with the payment due August 1, 2008; and
  - c. perform all other obligations under the Loan Documents and/or applicable law.
- 4. that TIME IS OF THE ESSENCE IN MAKING THESE PAYMENTS;
  - 5. that should Debtor default under any provision of this Consent Order, Movant will provide Debtor's counsel with written notice of said default via regular mail. If after ten (10) days from the date of mailing of said notice Debtor fails to cure said default, and an Affidavit of Non-Compliance as to same is filed with the Court, Movant shall be authorized to exercise its rights and remedies under the Loan Documents and under applicable law, including, without limitation, taking possession of the Property and/or foreclosing the Mortgage (as defined in the Motion) and bringing such action, including eviction proceedings, as may be appropriate, pursuant to state and federal law, to proceed with foreclosure and all other remedies prayed for in the Motion without further hearing, notice or Order of this Court; and
  - 6. that the terms of this Order shall be void if the case is dismissed or closed.

BY THE COURT THIS \_\_\_\_ DAY OF \_\_\_\_\_.

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Arthur N. Votolato  
U.S. Bankruptcy Judge

Agreed and Consented to by:

/s/ Thomas E. Carlotto  
Thomas E. Carlotto #6088  
1080 Main Street  
Pawtucket RI 02860  
401-272-1400  
401-272-1403 fax

/s/ John B. Ennis  
John B. Ennis #  
1200 Reservoir Avenue  
Cranston, RI 02920  
401-943-9230  
401-946-5006 fax

CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of the Consent Order has been served upon the following parties on July 30, 2008.

Via Electronic Notice:

Office of the U.S. Trustee

John Boyajian, Esq., Trustee

Via First Class Mail:

City of Cranston  
Tax Collector  
869 Park Avenue  
Cranston, RI 02910

Giuseppe B. Paliotta  
105 Princess Avenue  
Cranston, RI 02920  
Debtor

Bruno Paliotta  
105 Princess Avenue  
Cranston, RI 02910  
Co-Debtor

Anna A. Pailotta

105 Princess Avenue  
Cranston, RI 02910  
Co-Debtor

/s/ Thomas E. Carlotto